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ABSTRACT

This paper on rape on the campus addresses the following topics: definitions of rape and sexual assault; the incidence rate; attitudes about rape; the impact of rape on women's educational opportunity; legal implications, including Title IX of the Education Amendments of 1972; institutional responsibility and liability; the meaning of prevention, guidelines for reducing rape on campus; and victim services and treatment. Appendices present a list of written materials and films on rape and a brief discussion on the issue of whether or not to resist rape. (SW)

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The Problem of Rape on Campus*

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INTRODUCTION

- *A medical school applicant with outstanding grades is turned down because her grades dropped substantially one semester. The admissions committee knew the woman had been raped that semester but felt she should have been able to handle it.*
- *A woman who had been raped on campus sued her institution for negligence. The case was settled out of court, with the student receiving a substantial sum of money.*
- *Fearful of being on campus at night a student postpones taking a required course when the class is scheduled in the evening.*
- *Despite a model security system at a southern university two coeds were raped and murdered.*

In recent years, rape has been reported with increasing frequency on college campuses. The increase in the incidence of rape is part of a general rise in crime on campuses over the past few years rather than an isolated phenomenon. Students, university police, and other members of the academic community are increasingly concerned with campus security and the nature and extent of rape. Many campuses have upgraded security measures, instituted special services for both the investigation and the prevention of rape, and have encouraged students to assume more responsibility for their own security by devising additional safety programs.

Contrary to myth, rape and sexual assault are not limited to urban campuses. According to a 1974 survey conducted by the Center for Women's Policy Studies for the National Institute of Law Enforcement and Criminal Justice, the average rate is between one and twelve rapes per campus per year.[1]

Rape has far ranging consequences--from the occasional fear that many women experience to the legal ramifications and long term emotional impact of rape. Institutions should consider not only the need to provide comprehensive security programs but also the following:

- the provision of appropriate treatment for rape victims,
- the potentially limiting effect which fear of rape may have on women's educational opportunity,
- the effect of Title IX on rape related security measures and services,
- the extent to which a university could be held liable for the safety of its students, and
- the degree to which the campus can be made rape-conscious and as rape-free as possible.

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What Are Rape and Sexual Assault?**

The definition of rape varies depending upon the source. The dictionary says one thing, the law another, and individual men and women still something different. Usually, each describes rape as sexual intercourse without consent, chiefly by force or deception. To its victims, rape is a deliberate violation of one's emotional and physical integrity. Some state laws broadly define "rape" to include forcible, statutory, and attempted rape, homosexual assaults, and other criminal sexual assaults. A few states still have statutes which extend the concept of "sexual assault" to the use of obscene or insulting language in the presence of a woman. Other states have narrower definitions. For this paper, rape is defined as sexual intercourse without consent. The term "sexual assault" is defined as sexual abuse without the intent to rape.[2] Since most rape victims are women, this paper focuses specifically on the rape of women by men.

How Extensive Is Campus Rape?

In 1971, the F.B.I. responded to the increase of rape and other violent crimes being reported on college campuses by adding a new statistical chart to its Uniform Crime Reports, an index to the number of rapes committed at state universities. F.B.I. data are not available for private institutions. In 1976, of the 168 campuses indexed 157 rapes were reported. One mid-western campus reported 17 rapes. Most rape figures, however, record only those rapes which have been reported to the police.

Although the exact national incidence rate of rape on campus remains unknown, various surveys have approximated the extent of rape on campus. In 1968, a sample of 261 college women showed that 3.4% had been raped, 31% had experienced sexual violence short of rape (and 3.7% of the college males interviewed admitted to being rapists.)[3] An article appearing in the December, 1973 issue of *College Management* calculated 8,952 "sex crimes" in 1972 for all campuses.[4] Of a sample of 55 college students in 1975, 26% reported being raped or experiencing an attempted rape (although not necessarily on a campus) from one to six times over a three-year period.[5]

Estimates of unreported offenses indicate that there may be from three-and-one-half to nine times as many unreported rapes as reported ones.[6] In one study by the Department of Justice,[7] women who had not reported their rape to the police listed the following major reasons:

- fear of poor treatment by police or prosecutors,
- fear of trial procedures,
- fear of publicity or embarrassment,
- didn't want friends or family to know,
- lack of interest by police, and
- fear of revenge by offender.

Since most university health facilities are not required to report rapes to the police, campus infirmaries may see far more rape victims than the figures above indicate.[8]

Attitudes About Rape

- *All women want to be raped.*
- *No woman can be raped against her will.*
- *She was asking for it.*
- *If you're going to be raped, you might as well relax and enjoy it.*

Some attitudes about rape often portray women as willing participants in their own victimization. Despite recent campaigns by a number of women's groups to educate the public about rape, some people continue to place responsibility for rape upon the victim. The theory of victim-precipitated rape, which contends that a woman's behavior or apparel may arouse overwhelming sexual desire causing men to ravage the provocateur, obscures the true nature of the crime. Psychologists have noted that rape is an act of physical violence, generally motivated by feelings of hostility, including rage, hatred, contempt, and the desire to humiliate. In terms of the perpetrator's motives, rape most resembles crimes such as assault and robbery rather than sexual intercourse with a consenting woman.

Rape victims have often perceived such guilt attributing attitudes on the part of law enforcement and medical personnel. Complainants have occasionally been regarded either as victims of their own carelessness or victims of their own fantasies. Stories of inappropriate or offensive questioning and of officials' reluctance to believe victims have significantly discouraged some women from reporting rape.

Myth:	College campuses, long protected citadels, are virtually free of incidents of rape.
Fact:	**At one mid-western state university, seventeen instances of forcible rape were reported in 1976. Of the 168 campuses indexed in the 1976 F.B.I. uniform crime reports, 157 rapes were reported.**
Myth:	Students bear full responsibility for their safety on campus.
Fact:	**Courts have recently determined that the total burden of prevention does not lie with either the actual or potential victim, and that a university's physical environment and lack of adequate security may contribute to rape victimization.**
Myth:	Any woman could prevent the rape if she really wanted to, since no woman can be raped against her will. "You can't hit a moving target." Rape victims are really asking for it.
Fact:	**In 87% of rape cases, the assailant either carried a weapon or threatened the victim with death if she resisted him. The primary reaction of most victims is fear for their lives.**
Myth:	The primary motive for rape is sexual.
Fact:	**Studies show the major motive for rape is agression, anger and hostility, not sex.**
Myth:	Rape is an impulse act.
Fact:	**90% of all rapes are planned, although the victim is not always known, according to a national survey of police reports on rape.**
Myth:	Only women with bad reputations are raped.
Fact:	**Reputation has nothing to do with it; the rapist's desire is chiefly control, not sex.**
Myth:	Black men usually rape white women.
Fact:	**In 93.2% of rape cases, both the man and the woman are of the same race.**

Characteristics of Campus Rape

In many respects, a college campus is the ideal hunting ground for a potential rapist. Easily accessible, campuses frequently house a large concentration of young female undergraduates who either live alone or with other women and who often travel predictable routes. Potential crime scenes are also numerous. No one site is immune. Rape can occur at any time of day in the most public of places. Some areas, however, provide higher risks, such as:

- parking lots and garages,
- poorly lit open spaces,
- empty academic buildings,

**Since the same principles apply to sexual assault as to rape, preventive measures and services should serve all victims.

- deserted laundry rooms, and
- campus basements.

The evening hours are higher risk times with three-fourths of all rapes occurring between 5:00 PM and 5:00 AM. Women with night classes frequently have been victims of sexual assault. Hitchhikers also have been particularly vulnerable to attack.

Generally, rape is most often committed by young males. However, while some campus rapes have been committed by students from the same campus or nearby colleges, the majority of these reported crimes which have been solved were committed by non-students.[9]

Although a majority of reported rapes involve strangers or faint acquaintances, some rapes involve persons known to each other. The so-called "date rape" is, however, less likely to be reported. Almost impossible to prove, the date rape is often sparked by a male's anger when a female decides against having sex with him. Pressure not to involve the police, fear of causing an embarrassing situation for themselves in a relatively closed community, and fear that their names will not be kept confidential often prevents college victims from reporting this type of rape.

"Gang rapes" or rape by multiple offenders have also been reported on campuses although the incidence is lower than other types of rape. Perhaps the most frightening element of this type of sexual assault is the increased likelihood of greater violence being used by the offenders.

THE HIDDEN DIMENSION: THE IMPACT OF RAPE ON WOMEN'S EDUCATIONAL OPPORTUNITY

- *I feel unsafe on campus at night. I never take classes with finals scheduled at night. Unfortunately, several classes were required and I have to wait until next year to take them.*
- *Because of recent incidents of rapes on or near campus, I avoid classes that meet in the evening, and classes that have finals in the evening. These are classes I would have enrolled in if they met during the day.*

Comments of women students at a major university[10]

Few people realize the effect which fear of rape can have upon a woman's life. One does not have to be a rape victim to be affected by rape and the fear of rape. Aside from the trauma suffered by friends and relatives of the victim, knowledge of a rape incident, no matter how removed, often increases fear in many women. The threat of rape can prove damaging. Some women begin to structure and restrict their normal daily activity around avoidance of crime.

Indirectly, rape can similarly limit a woman's educational opportunity. Students who learn of rape incidents involving women who attend night classes or had night examinations may choose to drop or not to register for such courses. Older women in some instances have been fearful of resuming their education when classes are at night and parking areas are dimly lit and/or unguarded.

Fear of rape and uncertainty about campus security also often prevent women from:

- attending extracurricular activities scheduled at night,
- using the library,
- using athletic facilities, and
- applying for jobs or maintaining employment during evening hours.

Thus the fear of rape may restrict women students' activities and independence.

THE LEGAL IMPLICATIONS OF CAMPUS RAPE

Title IX and Other Laws

Title IX of the Education Amendments of 1972[11] prohibits discrimination based on sex in all federally assisted education programs. Institutions are prohibited from subjecting any person to separate rules of behavior, sanctions or other discriminatory treatment. When re-evaluating existing security systems, a university should determine how to ensure campus safety without restricting the mobility of women or subjecting them to discriminatory regulations. For example, university imposition of tighter living regulations, such as curfews for women but not men students, would be considered a violation of Title IX. Similarly, other restrictions or "protective measures" which apply only to one sex may constitute discrimination under Title IX.

Discriminatory regulations may also be challenged under the Equal Protection Clause of the Fourteenth Amendment. For example, one pre-Title IX lawsuit successfully contested a Southeastern Louisiana College requirement that women students under 21 live in dormitories although no such requirement was imposed on men.[12]

It should also be noted that in order to comply with Title IX, university protective services must provide substantially equal security for both men and women. Therefore, providing locks or guards only for women's dormitories might violate Title IX unless such extra security measures are necessary to ensure an essentially equal level of safety for both sexes. In instances of demonstrably higher risk for one sex, however, extra safety precautions would probably be consistent with the law. To date, the Department of Health, Education and Welfare, which enforces Title IX, has not directly addressed this question.

Additionally, providing services for rape victims such as special counseling, or health procedures will not violate Title IX. The regulation specifically allows institutions to provide health benefits and services which may be used by a different proportion of students of one sex than of the other.[13]

Prohibiting women from working on campus at night or failing to employ women for night shifts in order to "protect" them would violate not only Title IX, but also Title VII of the Civil Rights Act which prohibits discrimination in employment.

Other issues under Title IX concern the impact of policies or procedures which are ostensibly fair but may have a disproportionate impact on one sex. For example, because of the fear of rape, some women have raised the issue as to whether the scheduling of classes or exams at night is discriminatory. As far as is known, no charges have been filed relating to this issue nor has HEW made any ruling. However, it is possible that this and other rape-related Title IX questions will be raised in future complaints.

Institutional Responsibility and Liability

The total burden of rape prevention does not lie with either the potential or actual victim. According to recent court rulings, a university's physical environment and insufficient security may contribute to the incidence of rape. Thus, the failure to provide adequate rape deterrence may increase institutional liability for assaults occurrring on campus. In the future women may be more likely to bring a civil suit claiming damages against a university which has failed to provide sufficient security. Such negligence suits are particularly likely when an institution has been informed of dangerous conditions, but has failed to take remedial action.

Presently, the rape victim has three legal courses of action:

- *Criminal charges against the rapist*–Anger, revenge, and outrage often motivate a rape victim to overcome any concern for personal embarrassment or fear of treatment by the criminal justice system and bring criminal charges against the rapist. Criminal charges provide the state

rather than the individual with an opportunity to obtain a remedy for a crime committed against the state. The rape victim serves primarily as a piece of evidence to obtain this conviction. However, many choose not to prosecute due to fear of intimidation, harassment, and further degradation which women have sometimes experienced during criminal suits.

- *Civil charges against the rapist*—The rape victim may also choose to bring a civil suit claiming damages against the rapist. Civil proceedings require virtually the same evidence as criminal suits, but the burden of proof placed upon the victim is less. Civil suits provide the individual with a means of redress. Significant financial recoveries from offenders may be awarded for mental and physical suffering. However, for most rape victims, civil suits against the rapist are not a realistic alternative, because the rapist not only must be apprehended but also be solvent.
- *Civil charges against a third party*—A rape victim could also choose to bring civil charges against third parties who might be held responsible. Recent court decisions have held that institutions, landlords, employers, and transportation systems may be held liable for a higher degree of protection than previously particularly in the case of violent rape by strangers.[14] This theory was applied to a large university for the first time when in October 1975, a female student was raped in a women's locker room at the Catholic University of America. She filed a civil suit against the university contending that it had been negligent and careless by not providing better security. The U.S. District Court ruled in favor of the complainant and awarded the student $20,000 in damages.[15]

CAMPUS RAPE: HOW TO STOP IT

The Meaning of Prevention

Rape prevention has long been a subject of debate among women, police, and security departments. Several approaches exist:

- imposition of strict penalties on rapists,
- teaching women safety precautions and how to avoid situations where the probability of sexual assault is high, and
- making the environment safer.

Women's groups acknowledge the importance of safety precautions but also point out that the imposition of a special burden of caution on women is not a total solution to rape. While caution and security measures may save some women from immediate danger, rape can still occur. Moreover, these measures do not abolish the *fear* of rape. A special burden of self-protection may also reinforce the notion that women must live and move about in fear and can never expect to achieve the personal freedom, independence and self-assurance of men.

Another unfortunate consequence of this approach to rape prevention is its effect upon victims. Frequently, a woman who has been raped believes she did not take sufficient precautions and blames herself for being attacked. Thus, the blame for rape is shifted from the rapist to the victim. Rape prevention strategies must be designed so as not to restrict women's mobility nor reinforce a feeling of helplessness.

Guidelines for Reducing Rape on Campus

Urban or rural, public or private, every campus can develop a comprehensive rape prevention program. Although not all of the following guidelines will be appropriate for every campus, universities can benefit by considering services such as these, many of which are already in existence at some institutions. The involvement of vice-presidents of student affairs, Deans of Students, residential life or housing personnel, student affairs staff, campus security department personnel, physical plant personnel, campus women's organizations, and other student groups will facilitate the development and success of such programs.

Self-Evaluation

Initially, a university may want to conduct a self-evaluation of their present campus security system in order to assess the physical safety of women on campus. A checklist for such an evaluation could include:

- determining whether the numerical strength of the security force is adequate;
- identifying high risk areas and particular problem areas, with particular emphasis on pathways surrounded by shrubs and trees;
- determining where additional lighting could be provided;
- evaluating reporting procedures and post-rape services; and
- reviewing procedures for replacing burned out bulbs both indoors and outdoors.

Strategies for Prevention[16]

Special strategies to improve the personal safety of students and staff members could be established by the campus security department, physical plant, campus women's organizations, or jointly developed by the security department with the assistance of student-oriented groups. Such services could include:

- Leaving *classroom lights* on to illuminate dark areas during the evening;
- Using *floor or arch lighting* to increase illumination;
- Initiating other environmental modifications such as
  - -the installation of *signal systems* or *on-campus telephones*,
  - -an increase of *foot patrols* in high risk areas during high risk times, and
  - -a *re-keying of locks*;
- Ensuring that a *woman security officer* is available;
- Identification *card screening* for access into academic, athletic, and residential facilities;
- More *frequent patroling* of problem areas;
- *Stationing guards* in campus residence halls throughout the night; and
- Hiring *student patrols* to augment the campus police force. Although unarmed and without the power of arrest, these students may carry whistles, badges, and walkie-talkies.
- *Implementing escort services.* Since patrol units are often unable to take escort calls and since many policies prohibit the use of patrol vehicles for such services, escorts provide necessary companionship for persons who do not desire to walk alone on or near campus at night. Certain safeguards must be taken to prevent abuse of such a service. Careful attention must be given to the selection of male or female personnel volunteering their time. Male escorters might be accompanied by at least one female escorter. A log of all escorts should be kept to protect both escorters and escortees from potential assault. The service should be centrally located and have an easily remembered phone number;
- *Transport services.* Following a Rape Conference in Madison, Wisconsin in 1973, a campus-based community organization developed a transportation system. Still in existence, Women's Transit Authority provides free shuttle car and cab service for women between 7:00 p.m. and 2:00 a.m. seven days a week. The University of Wisconsin originally donated office space, cars, and radios for the service. Presently funded by the university and

other groups, WTA serves approximately 70% students and 30% non-students.

- *Hitchhiker registration system.* After a conference on rape prevention at the State University of New York at Buffalo, the campus security department proposed a hitch-hiker registration system which would require all persons offering and accepting transportation to register information such as name, address, destination, student status, dates of travel, etc. This service would provide protection for riders and drivers as well as referencing available sources of transportation. The same department suggested a mandatory building check-in system for all persons working in academic buildings after regular class hours. Periodic checks and supervision would be made available for those persons after notifying the security office of their name and location.
- *Shelter houses.* At one mid-western state university, shelter houses were established by an area rape prevention organization, in cooperation with the university's office of residence and dining halls. Shelter houses are houses with at least one woman resident who has been trained to offer immediate comfort, shelter, information, and access to a telephone to women who have been harassed, threatened, or assaulted. Signs designating the location of shelter houses are visible throughout the university area.

The use of trained female officers may increase reporting, because some rape victims may be more likely to divulge specific details of the crime to a female investigator. If a woman officer does not conduct the preliminary investigation, it is vitally important that the victim know that a woman officer is available.

Educational and Training Programs

No campus rape prevention program can be successful without *publicity* and *educational and training programs:*

- *University publications* can better inform the entire academic community concerning the conception, purpose, function, and availability of prevention strategies.
- *Progress reports and information* can be relayed to the campus community.
- *Presentations and training sessions* which deal with prevention strategies and victim treatment can be developed for security personnel, residence assistants, health center personnel, counseling organizations, student governments, etc.
- *Pamphlets, fact sheets, and booklets* containing provisions of legal, medical, and preventive advice have often been printed and distributed around campuses.
- *Self-defense courses.* To combat the traditional sex-role stereotyping that has often led to the physical underdevelopment and image of helplessness of many campus women, self-defense courses have been offered by campus women's centers, community rape crisis centers, and physical education departments. Some people believe that the exclusion from physical activity, and encouragement for women to depend on others for protection, has contributed to rape victimization. At Stanford University, a self-defense course is taught as part of the workshops on social and political issues. Students learn self-defense techniques and how to utilize them under assault-like conditions, in the dark and wearing street clothes. Of those students who were later threatened with attack, none have been victimized and twenty escaped potentially violent situations.

In many communities, organized and unaffiliated groups of women have marked places where women have been raped with signs and huge X's. A group of women in Northhampton, Massachusetts marked sites with signs that read "A Woman Was Raped Here." Another group attempting to break the silence that surrounds rape and encourage women to discuss their experiences has made the University of California at Berkeley extremely rape-conscious. The Bay Area Women Against Rape posted signs in academic buildings which read, "Women—Liberated or Not—It is dangerous to walk these halls alone at night."

Despite such programs which have successfully minimized the extent of rape on campuses, no absolute solution to rape exists. Two women were raped and killed at one large southern university despite what officials of the International Association of College and University Security Directors called a model security system. The university's permanent security measures included an around-the-clock patrol, a continuous facility inventory, an all-night stationing of guards, a recent rekeying of doors to all residence halls, an escort service coordinated through the security office, and regularly scheduled talks by security specialists.

THE AFTERMATH OF RAPE

Victim Services and Treatment

- *As early as 1878, a feminist publication urged aid to rape victims which included emotional support, financial assistance, encouragement to testify, and insistence that a woman's word in court had as much credibility as a man's.*

The establishment of an effective rape treatment program minimizes the aftermath of rape by encouraging rape victims to utilize campus or community services. Campus or community rape crisis centers have been particularly helpful in developing services for rape victims. Institutions evaluating or planning services may want to consult with such groups.

Such a program could include:

- available information about what to do and where to go after a rape has occurred, in order to obtain medical, mental health, social, and legal services;
- immediate and follow-up medical care for physical trauma, collection of medicolegal evidence, prevention of venereal disease and protection against unwanted pregnancy;
- immediate and follow-up professional counseling for emotional trauma and its consequent social disruption;
- skilled, sensitive treatment by police officers, social workers, nurses, physicians, lawyers, and others who treat or question the victim;
- support from significant others, i.e., talking about the experience with understanding friends and relatives is helpful to the woman in dealing with her feelings; and
- legal assistance including information about rights, advocacy, and representation in the criminal justice system.[17]

Medical attention should be the primary concern of whoever responds to the initial notification of a rape. A victim may have sustained external and internal physical injuries as well as invisible emotional ones as a result of rape. Since rape is an intrusion into the private, personal inner space without consent, the emotional aftermath of rape may continue for a long time. Psychological scars may remain long after the physiological ones have healed. Providing counseling is crucial if a rape victim is to overcome this syndrome and regain control of her life.

Many universities make prior arrangements with a hospital or with their own campus infirmary for receiving and treating rape victims. Before determining policy about where rape victims should be treated, university officials need to evaluate the quality of medical service provided at each available facility by asking the following questions:

- Are rape victims given priority in the emergency room?
- How much privacy is accorded the victim during admission procedures and examinations?
- Is a room separate from the examining room provided for police interviews with the victim?
- Are psychiatric nurses or other trained personnel available? Would an accompanying support person, not a member of the hospital staff, be permitted to remain with the victim?
- Is the patient examined by a gynecologist?
- Does the examination routinely include the taking of evidence?
- Is the facility equipped to collect forensic evidence?
- Have attending physicians and other personnel been trained to deal with rape victims?
- What type of follow-up treatment is made available for the victim?
- Does the hospital or medical facility report to the police even if the victim does not wish to?
- Are medical tests clearly explained to the victim?
- Does university health insurance cover costs incurred by the rape victim?
- Are victims given options that would include and encourage calling upon rape crisis intervention counselors?
- Does the medical facility maintain strict confidentiality of information surrounding a rape case, including protecting the victim's identity?[18]

Conclusion

No single remedy for the problem of rape on campus exists. Nor can the physical safety of college and university students be improved overnight. However, if all sectors of the university and community work together to prevent rape and provide victim services, the frequency of rape on campus can be lessened, the educational opportunities for women expanded, and the debilitating impact of rape minimized.

FOOTNOTES

1. U.S. Department of Justice, Law Enforcement Assistance Administration, *Rape and Its Victims* (1975), page 209.
2. Sexual assault has also occurred on many campuses. A recent example involved 20 male members of a college fraternity who were charged with "sexually abusing" several women during the course of a 'panty raid' on a sorority house. As a result of the incident, two men were placed on probation, two have left school and the rest pleaded guilty to violations of visiting hour restrictions.
3. G. Shipman, "The Psychodynamics of Sex Education," *The Family Coordinator,* Vol. 17, No. 1, (1968), pp. 3-12.
4. K. Dukiet, "Awareness Is Key to Campus Crime Prevention," *College Management,* Dec. 1973, pp. 16-17.
5. L. Schultz and J. Desavase, "Rape and Rape Attitudes on a College Campus," *Rape Victimology,* (Illinois: Charles C. Thomas, 1975), pp. 77-90.
6. Department of Public Safety, "Selected Aspects of the Crime of Forcible Rape," Metropolitan Washington Council of Governments, Dec. 1974, p. 1.
7. U.S. Dept. of Justice, LEAA, *Forcible Rape,* March 1978, pp. 15-16.
8. U.S. Dept. of Justice, LEAA, *Rape and Its Victims* (1975), p. 209.
9. A student criminally charged with the rape of another student at the same university raises several policy questions for university administrators. For instance, should disciplinary charges also be brought against the student? If the university decides to bring such charges, the student has a due process right to have his attorney present for consultation and advice at the disciplinary hearing. Thus, the student neither jeopardizes his legal defense to a criminal charge by testifying without the assistance of a counsel at a university disciplinary hearing nor risks the loss of his college degree by failing to present a full disciplinary defense. See, e.g. *Gabrilowitz* v. *Newman,* 47 USLW 2020, July 11, 1978.
10. "Women Students at Berkeley: Views and Data on Possible Sex Discrimination in Academic Programs," University of California at Berkeley, June 1977, pp. 136-7.
11. Education Amendments of 1972, Sections 901-907, U.S.C. Sections 1681-86 (1972).
12. *Mollere* v. *Southeastern Louisiana College,* 304 F. Supp. 826 (E.D. La. 1969).
13. 45 C.F.R. 86.39.
14. For institutional liability see, for example, *P.D.* v. *The Catholic University of America,* Docket No. CA 75-2198 U.S. District Court. For landlord liability see, for example, *Smith* v. *General Apartment Co.,* 213 SE 2d 74 (Ga. App. 1975). Additionally, a female rape victim was awarded $640,000 damages against Washington D.C. Board of Ed. after an employee raped a student. (*Personal Injury Newsletter,* Vol. 11, No. 1 (1967) p. 165. A male rape victim successfully sued a hospital for damages after a staff member raped a patient. See *Lorenle* v. *Hospital Board Morgan County,* 320 So. 2d 631 (1974) Alabama. For liability of a transportation system see, for example, *Hamback* v. *Seaboard Coastline Railroad,* 396 F. Supp. 80 (1974).
15. *P.D.* v. *The Catholic University of America,* Docket No. CA 75-2198 U.S. District Court.
16. Many of these recommendations come from a report on the *Physical Safety of Women* prepared by Kathy Barry, Women's Advocate at California State University, Sacramento for the president of the university in 1973.(These recommendations appear in *Rape: How to Avoid It and What to Do About It If You Can't,* June Bundy Csida and Joseph Csida, Books for Better Living, CA, 1974, pp. 73-76.)
17. Gail Abarbanel, "Helping Victims of Rape," Social Work, V. 21, No. 6, Nov. 1976, p. 478.
18. Some of these questions were excerpted from "Crimes of Violence Against Women," a report conducted by the Bergen County Advisory Commission on the Status of Women, 1977.

APPENDIX A

TO RESIST OR NOT TO RESIST...

Police, self-defense experts, and women's groups respond differently to the question of how much and what form of resistance, physical and otherwise, a victim can or should make. Aside from screaming and running, no two experts agree on the best method of thwarting sexual assault.* Some victims have successfully talked a potential rapist out of committing an attack. Tactics of initial verbal resistance, or "verbal karate", include:

- a victim's attempt to make herself unattractive to the offender or to elicit his sympathy by indicating that she is pregnant, sick, diseased, virginal, or menstruating;
- threats of prosecution or retaliation from family or friends, if the offender persisted; and
- feigned consent to intercourse, indicating a willingness to engage in sexual activity if they could first use the restroom, change clothes or call a friend.

*In *How to Say No to a Rapist and Survive*, Fred Storaska maintains that psychological preparation is a woman's best weapon in escaping alive and uninjured. Most women involved with rape prevention, however, vehemently object to the claim that psychological preparation alone could help women avoid potentially dangerous situations.

Although such ruses have occasionally allowed a victim to escape a situation, verbal resistance may not always prove effective. For example, threatening a rapist may only increase his hostility and the chance of permanent physical injury or death. Additionally, feigned willingness to comply can complicate efforts to prosecute the attacker who may claim the victim consented to the rape.

The issue of physical resistance presents even greater complexities. Some police officials advise women not to resist a rapist for fear of physical harm. Yet, since rape is the only crime of violence in which a victim is *expected* to resist, women who have not resisted have sometimes been criticized and have found that their right to prosecution was jeopardized. Without some sign of physical abuse, the police and the courts may even refuse to believe she was raped despite the fact that the threat of violence alone can force a victim into submission. Confronted with the immediate possibility of rape, many women perceive rape as a *quid pro quo*; rape in exchange for life, or rape as an alternative to hurtful or disfiguring physical damage. Particularly in instances involving dangerous weapons or groups of men, most women believe they are confronting the realistic possibility of death, or at least the probability of serious physical injury.

Some women, however, have died without putting up any resistance. Submission is not always a guarantee against further violence. No uniformly correct response to rape exists.

APPENDIX B

RESOURCES*

Pamphlets, Booklets, & Manuals

Fighting Back: A Self-Defense Handbook, Women Against Rape, P.O. Box 02084, Columbus. OH 43202. $.40.

Forcible Rape: Medical and Legal Information, U.S. Department of Justice, Law Enforcement Assistance Administration, October 1977, for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. $1.20.

Freeing Our Lives; A Feminist Analysis of Rape Prevention, Women Against Rape, P.O. Box 02084, Columbus, OH 43202. $.85.

How to Start a Rape Crisis Center, Rape Crisis Center, 917 15th Street, N.W., Washington, D.C. 20009. $4.75.

Rape Resource Handbook, University of California, Santa Barbara's Women's Center, Building 513, University of CA, Santa Barbara, CA 93106. Free.

Stop Rape, Women Against Rape, Detroit, 1971. Available from Women's Liberation of Michigan, Room 516, 2230 Witherell, Detroit, MI 48201. $.25.

To Comfort and Relieve Them: A Manual for Counseling Rape Victims, by Felicia Guest. Available from Reproductive Health Resources, 1507 21st Street, Suite 100, Sacramento, CA 95814. $5.75.

What Every Woman Should Know About Rape, Channing L. Bete Co., Inc., 45 Federal Street, Greenfield, MA 01301 $.50.

Bibliographies on Rape

Bibliography on Rape, Rape Crisis Center, 917 15th Street, N.W., Washington, D.C. 20009. $1.50.

Forcible Rape: A Bibliography, compiled by Duncan Chappel, Gilbert Geis and Faith Fogarty, 65 *Journal of Criminal Law* 248 (1974).

The Crime of Rape, National Criminal Justice Reference Service Abstracts. Available from the National Criminal Justice Reference Service, Box 6000, Rockville, MD 20850. Free.

Women and Mental Health, the National Institute of Mental Health. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. $2.45.

Films

If It Happens to You: Rape, EDC Distribution Center, 39 Chapel Street, Newton, MA 02160.

Rape: A Preventive Inquiry, J. Gary Mitchell Film Co., 1239 Polk Street, San Francisco, CA 94109.

Rape: The Lonely Crime, G.L. Productions, 8509 Argon Lane, Chevy Chase, MD 20015.

Rape Culture, Cambridge Documentary Films, Inc., P.O. Box 385, Cambridge, MA 02101.

Rape Prevention: No Pat Answers, Convivia Enterprises, 740 Ash Street, Lawrence, KS 66044.

This Film is About Rape: A Feminist Analysis, Canadian Filmmakers Distribution Center, 406 Jarvis Street, Toronto, Ontario, Canada.

Newsletters

Newsletter of the Feminist Alliance Against Rape and the National Communications Network for the Elimination of Violence Against Women, Box 21033, Washington, D.C. 20009. $8.75, individuals; $20.00, institutions.

*Prices quoted in this publication are subject to change without notice.

ORGANIZATIONS WHICH HAVE WORKED ON THE ISSUE OF RAPE

Feminist Alliance Against Rape
P.O. Box 21033
Washington, D.C. 20009 (202) 543-1223

FAAR provides a forum for discussing and developing strategies to end rape and other forms of violence against women. Co-publishes a bimonthly newsletter with the National Communications Network for the Elimination of Violence Against Women.

National Center for the Prevention and Control of Rape
National Institute of Mental Health, DHEW
5600 Fishers Lane
Rockville, MD 20857 (301) 443-1910

Established under the Rape Prevention and Control Act, the National Center funds rape investigation units in police departments, special units for treatment of rape victims in hospitals, and preventive programs including self-defense training classes in public schools. Maintains a central clearinghouse for research, literature, educational publications, audio-visual material, and other information about rape and sexual assault.

Rape Crisis Center
917 15th Street, N.W.
Washington, D.C. 20009 (202) 333-RAPE (Crisis Line)
(202) 347-4278

Provides assistance to rape victims and serves as a legal advocate for child victims of sexual assault. Published How to Start a Rape Crisis Center ($4.75) and Rape Prevention Tactics ($1.00).

Women Organized Against Rape, Inc.
1220 Sansom Street
Philadelphia, PA 19107 (215) 922-3434 (Hot Line)
(215) 922-7400

Provides victim services such as on-the-spot counseling and emergency room hot lines for Thomas Jefferson University Hospital and the Presbyterian-University of Pennsylvania Medical Center. Publishes a monthly newsletter and a biannual magazine.

Women's Crisis Center of Ann Arbor
211½ North 4th Street
Ann Arbor, MI 48107 (313) 994-9100
(313) 761-9475

Provides counseling, emotional support, and immediate assistance after rape has occurred. Published Freedom from Rape ($0.25), How to Organize a Woman's Crisis Center ($2.00), Bibliography on Rape ($0.50), Sexual Assault: Counselor's Training Manual ($5.00), and Content Outline for Sexual Assault Workshops ($2.00).

Assault Crisis Center
561 North Hewitt
Ypsilanti, MI 48197 (313) 434-9881
(313) 668-8888 (Crisis Line)

A Washtenaw county agency which provides short-term emergency counseling, emergency housing, makes referrals, and acts as a victim advocate. Published Domestic Violence: The Hidden Crime and Protect Your Body: Use Your Head (both free of charge).

Women Against Rape
Member of Women's Action Collective
P.O. Box 02084
Columbus, OH 43202 (614) 221-4447 (Crisis Line)
(614) 291-9751

Offers both crisis and prevention services. The first includes on-the-phone counseling and support teams to accompany and assist women in dealing with police, hospital personnel, and court proceedings. Prevention services include workshops, a speaker's bureau, a self-defense course offered quarterly within the university community, and the organization of a rape prevention network to provide information to the community.